

1 JENNIFER J. CAPABIANCO (SBN 193371)
jcapabianco@selmanlaw.com
2 JILLIAN R. HARVEY (SBN 319711)
jharvey@selmanlaw.com
3 SELMAN BREITMAN LLP
33 New Montgomery, Sixth Floor
4 San Francisco, CA 94105-4537
Telephone: 415.979.0400
5 Facsimile: 415.979.2099

6 Attorneys for Defendant DISH NETWORK LLC
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 LEONARD NORDEMAN,
11 Plaintiff,
12 v.
13 DISH NETWORK LLC,
14 Defendant.
15

Case No. 3:21-cv-00923-TSH

REPLY DECLARATION OF SHANNON
PICCHIONE IN SUPPORT OF MOTION TO
DISMISS, OR IN THE ALTERNATIVE, STAY
LITIGATION PENDING ARBITRATION

Date: March 25, 2021
Time: 10:00 a.m.
Judge: Thomas S. Hixson
Courtroom: G

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17 DECLARATION OF SHANNON PICCHIONE
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19 I, SHANNON PICCHIONE, declare and state as follows:

- 20 1. I am employed as the Vice President of Billing & Credit at DISH Network, L.L.C.
21 ("DISH"). I am over the age of 21. I make this Declaration based on personal knowledge,
22 based on information provided to me in company documents, and based on
23 communications with company personnel in the ordinary course of my duties. I would be
24 willing and able to testify thereto if and when called upon to do so.
- 25 2. In the ordinary course of business, DISH sends specific routine e-mails to its
26 customers. The emails themselves are not retained. However, DISH does maintain in the
27 ordinary course of business exemplars of these routine e-mails. The automatically
28 generated exemplar email attached hereto as Exhibit E is a true and correct copy of the

1 routine e-mail DISH's system sends to new customers the day they contract for new
2 services. This email would have been sent to Mr. Nordeman in the ordinary course of
3 business so that he would have a copy of his signed service agreement.

4 3. DISH sent Plaintiff bills from August 22, 2016 through November 12, 2017. Plaintiff
5 paid his bills monthly through July 24, 2017. Please find attached hereto as Exhibit F true
6 and correct copies of the bills sent to plaintiff.

7 4. The RCA is a standard residential customer service agreement that is publicly available
8 on DISH's website, and it was publicly available on DISH's website at when Plaintiff
9 signed up for DISH's services.

10 5. When a customer calls DISH to speak to a sales representative, the customer is advised
11 that the call will be recorded. Specifically, it states "to ensure quality, your call will be
12 recorded." This notice is provided prior to the start of the recording. This notice was
13 provided in 2016 when Mr. Nordeman called DISH.

14 I declare under penalty of perjury under the laws of the State of California that the foregoing
15 is true and correct.

16 Executed this 4th day of March 2021, at Englewood, Colorado.

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SHANNON PICCHIONE